

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

HANNAH RUTLEDGE,
Plaintiff,

vs.

VAN ZANDT COUNTY,
Defendant.

)
)
)
)
)
)

No. 3:16-CV-0813-D


ORDER

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted.

After the magistrate judge filed her April 18, 2016 findings, conclusions, and recommendation, plaintiff filed an amended complaint. Although it is evident that plaintiff is attempting to comply with the magistrate judge's decision by filing the amended complaint, plaintiff has still not paid the filing fee or moved for leave to proceed *in forma pauperis*. Accordingly, because dismissing this case without prejudice will not in effect be a dismissal with prejudice due to the running of limitations, the court adopts the magistrate judge's findings, conclusions, and recommendation and dismisses this action without prejudice under Fed. R. Civ. P. 41(b) by judgment filed today.

SO ORDERED.

May 24, 2016.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE